

his incredible credentials, leadership roles and accomplishments that span his lifetime, Mr. Janis has shown unwavering commitment to the people he has known throughout that time.

Mr. Janis is an example of true American ingenuity and a person who continues to generously devote himself to the ideals he values most: his family, his work and his community. We in northern Michigan and those throughout America who have benefited greatly from his work and contributions thank him for his efforts.

CONGRATULATIONS TO COLONEL JAMES KELLY, THE UNIVERSITY OF ALABAMA'S FIRST ASTRONAUT AND PILOT OF THE SPACE SHUTTLE "DISCOVERY" RETURN TO FLIGHT MISSION

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 9, 2005

Mr. BONNER. Mr. Speaker, it is with great pride and pleasure that I rise to honor and congratulate Colonel James Kelly, the pilot of the recent space shuttle *Discovery* Return to Flight Mission and the University of Alabama's first astronaut.

Colonel Kelly earned his master of science in aerospace engineering from the University of Alabama in 1996. That same year, he applied for NASA's astronaut class. Colonel Kelly was one of 44 members and one of only 10 pilots selected out of 2,400 applicants.

Colonel Kelly has logged over 3,800 flight hours in more than 35 different aircraft. Additionally, he has logged over 643 hours in space. He served as pilot on both the STS-102 *Discovery* and the STS-114 *Discovery*. The STS-102 *Discovery* was the eighth shuttle mission to visit the International Space Station. The two-week, 5.8 million mile STS-114 *Discovery* Return to Flight Mission reaffirmed our confidence in NASA and America's successful future in space.

Mr. Speaker, I take this opportunity to commend Colonel James Kelly for his commitment to excellence and his willingness to explore. I thank him for his dedication and brave service to this country.

THE HEALTH FREEDOM PROTECTION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 9, 2005

Mr. PAUL. Mr. Speaker, I rise to introduce the Health Freedom Protection Act. This bill restores the First Amendment rights of consumers to receive truthful information regarding the benefits of foods and dietary supplements by codifying the First Amendment standards used by federal courts to strike down the Food and Drug Administration (FDA) efforts to censor truthful health claims. The Health Freedom Protection Act also stops the Federal Trade Commissions (FTC) from censoring truthful health care claims.

The American people have made it clear they do not want the federal government to

interfere with their access to dietary supplements, yet the FDA and the FTC continue to engage in heavy-handed attempts to restrict such access. The FDA continues to frustrate consumers' efforts to learn how they can improve their health even after Congress, responding to a record number of constituents' comments, passed the Dietary Supplement and Health and Education Act of 1994 (DSHEA). FDA bureaucrats are so determined to frustrate consumers' access to truthful information that they are even evading their duty to comply with 4 federal court decisions vindicating consumers' First Amendment rights to discover the health benefits of foods and dietary supplements.

FDA bureaucrats have even refused to abide by the DSHEA section allowing the public to have access to scientific articles and publications regarding the role of nutrients in protecting against diseases by claiming that every article concerning this topic is evidence of intent to sell a drug.

Because of the FDA's censorship of truthful health claims, millions of Americans may suffer with diseases and other health care problems they may have avoided by using dietary supplements. For example, the FDA prohibited consumers from learning how folic acid reduces the risk of neural tube defects for 4 years after the Centers for Disease Control and Prevention recommended every woman of childbearing age take folic acid supplements to reduce neural tube defects. This FDA action contributed to an estimated 10,000 cases of preventable neural tube defects!

The FDA also continues to prohibit consumers from learning about the scientific evidence that glucosamine and chondroitin sulfate are effective in the treatment of osteoarthritis; that omega-3 fatty acids may reduce the risk of sudden death heart attack; and that calcium may reduce the risk of bone fractures.

The Health Freedom Protection Act will force the FDA to at last comply with the commands of Congress, the First Amendment, and the American people by codifying the First Amendment standards adopted by the federal courts. Specifically, the Health Freedom Protection Act stops the FDA from censoring truthful claims about the curative, mitigative, or preventative effects of dietary supplements, and adopts the federal court's suggested use of disclaimers as an alternative to censorship. The Health Freedom Protection Act also stops the FDA from prohibiting the distribution of scientific articles and publications regarding the role of nutrients in protecting against disease.

This legislation also addresses the FTC's violations of the First Amendment. Under traditional First Amendment jurisprudence, the federal government bears the burden of proving an advertising statement false before censoring that statement. However, the FTC has reversed the standard in the case of dietary supplements by requiring supplement manufacturers to satisfy an unobtainable standard of proof that their statement is true. The FTC's standards are blocking innovation in the marketplace.

The Health Freedom Protection Act requires the government bear the burden of proving that speech could be censored. This is how it should be in a free, dynamic society. The bill also requires that the FTC warn parties that their advertising is false and give them a chance to correct their mistakes.

Mr. Speaker, if we are serious about putting people in charge of their health care, then

shouldn't we stop federal bureaucrats from preventing Americans from learning about simple ways to improve their health. I therefore call on my colleagues to stand up for good health care and the First Amendment by co-sponsoring the Health Freedom Protection Act.

TED KOPPEL: HE KNOWS THE BURDEN OF THE IRAQ WAR MUST BE SHARED

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 9, 2005

Mr. RANGEL. Mr. Speaker, I rise to appreciate the career and character of Ted Koppel, who is retiring after 25 years as a stalwart and honest news reporter on the show "Nightline."

Upon his retirement, he expressed some thoughts in the November 8, 2005 issue of the *Washington Post*. I applauded him then and I applaud him now for showing the photographs and naming the fallen in Afghanistan and Iraq on his show when others called him unpatriotic for that act to honor those killed in Afghanistan and Iraq. I applaud him for his statement in the *Washington Post* today. He remarked on the unshared burden of the war in Iraq. This is a topic I have brought up again and again. One tiny fraction of this nation bears the entire burden of this war.

Ted Koppel put it this way: "You don't fight a war and allow just a tiny fraction of the population to carry the burden. It's hard to make a case that the rest of us are sharing the burden of being at war when our taxes have been cut, not increased. There are no victory gardens. No one is being asked to do anything, really. That's why I thought it was important to show all those photographs and read all those names. . . ."

Ted, thank you. You have done a wonderful job for 25 years. Your honest reporting will be missed.

[From the *Washington Post*, Nov. 8, 2005]

HIS NIGHT IN THE SUN

AFTER 25 YEARS, TED KOPPEL IS LEAVING THE SHOW THAT DID IT HIS WAY

(By Howard Kurtz)

Given all the heat Ted Koppel took last year for reading the names of the hundreds of Americans killed in Iraq, he could be forgiven for claiming vindication over the huge coverage when the death toll hit 2,000 late last month.

The "Nightline" anchor believes a meaningless milestone has been overplayed by the media—and is happy to tell you why.

"If the administration was really doing what it ought to be doing, they—everyone from the president on down—would have explained we have to remain in Iraq with such clarity that everyone would understand the sacrifice of 2,000, or even 20,000, lives is essential," he says. "My complaint is that the administration has done a poor job of explaining why we're in Iraq. You don't fight a war and allow just a tiny fraction of the population to carry the burden. It's hard to make the case that the rest of us are sharing in the burden of being at war when our taxes have been cut, not increased. There are no victory gardens. No one is being asked to do anything, really. That's why I thought it was important to show all those photographs and read all those names, not as a way of saying the war is wrong."